

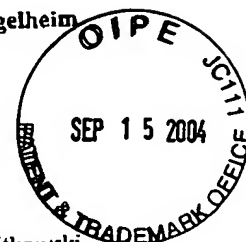
**Telefax**

TO: USPTO, Mail Stop Missing Parts  
 DATE: September 15, 2004  
 Fax Number: (703) 746-4060  
 Phone Number: (703) 308-1202  
 Total Number of pages: 9 (including cover sheet)  
 RE: Response to Notice to File Missing Parts  
 Serial Number: 10/757,015  
 Filing Date: January 14, 2004  
 Confirmation Number: 3296  
 First Inventor: Axel Riedel  
 Attorney Docket Number: 1/1443US



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900 Ridgebury Rd/P.O. Box 368  
 CT 06877-0368

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application which was mailed on April 16, 2004, please find transmitted herewith a Declaration for Utility or Design Patent Application (37 CFR 1.63) which has been executed by the originally-named applicants.

The surcharge set forth in 37 CFR 1.16(e) for submission of the declaration at this time is \$130.00. The Commissioner is hereby authorized to charge this and any other fee which may be required, and to credit any overpayment, to Deposit Account No. 02-2955. Triplicate copies of this paper are being transmitted herewith.

As requested, a copy of the Notice to File Missing Parts of Nonprovisional Application is also being transmitted.

It is hereby requested that the time for responding to the Notice To File Missing Parts of Application mailed on April 16, 2004, be extended pursuant to 37 CFR 1.136(a) for three months, so that the extended period for response will end on September 16, 2004.

The fee set in 37 CFR 1.17 for this extension of time is \$950.00. The Commissioner is hereby authorized to charge this and any other fee which may be required, and to credit any overpayment, to Deposit Account No. 02-2955. Triplicate copies of this paper are enclosed.

Respectfully Submitted,

Timothy X. Witkowski

Reg. No. 40,232

Certificate of Transmission under 37 CFR 1.8  
 I hereby certify that this correspondence is being  
 facsimile transmitted to the United States Patent  
 and Trademark Office on September 15, 2004

Timothy X. Witkowski, Reg. No. 40,232

09/17/2004 WASFAW1 00000007 022955 10757015

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/757,015	01/14/2004	Axel Riedel	1/1443US

28501  
BOEHRINGER INGELHEIM CORPORATION  
900 RIDGEBURY ROAD  
P. O. BOX 368  
RIDGEFIELD, CT 06877

CONFIRMATION NO. 3296

## FORMALITIES LETTER

OC000000012381740

Date Mailed: 04/16/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

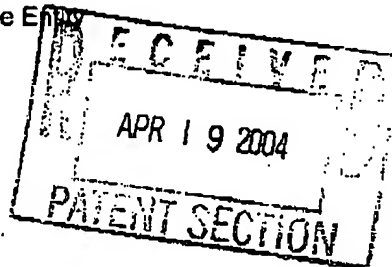
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450



09/17/2004 HASFAW1 00000007 022955 10757015

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A copy of this notice **MUST** be returned with the reply.

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Page 2 of 2

*Spiegel*

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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY